

**Northumberland County Planning Commission
January 21, 2009
Minutes**

The regular monthly meeting of the Northumberland County Planning Commission was held on January 21, 2010 at 7:00 p.m. in the Courthouse at Heathsville, VA with the following attendance:

Thomas Basker	Present	Bill Kling	Present
Chris Cralle	Present	George Kranda	Present
Kevin Elmore	Absent	Garfield Parker	Present
Alfred Fisher-Chairman	Present	Jim Stone	Present
Ed King	Present	Charles Williams	Present

Others in attendance:

Richard Haynie (Board of Supervisors Liaison)
Luttrell Tadlock (Assistant County Administrator)

RE: CALL TO ORDER

Al Fisher, Chairman, called the meeting to order.

Garfield Parker gave the invocation.

RE: ELECTION OF 2010 OFFICERS

With a motion from George Kranda, seconded by Bill Kling, and approved by all, Al Fisher was nominated and voted Chairman. The vote was as follows:

Thomas Basker	AYE	Bill Kling	AYE
Chris Cralle	AYE	George Kranda	AYE
Kevin Elmore	Absent	Garfield Parker	AYE
Alfred Fisher-Chairman	Abstained	Jim Stone	AYE
Ed King	AYE	Charles Williams	AYE

With a motion from Ed King, seconded by Thomas Basker, and approved by all, Jim Stone was nominated and voted Vice Chairman. The vote was as follows:

Thomas Basker	AYE	Bill Kling	AYE
Chris Cralle	AYE	George Kranda	AYE
Kevin Elmore	Absent	Garfield Parker	AYE
Alfred Fisher-Chairman	AYE	Jim Stone	Abstained
Ed King	AYE	Charles Williams	AYE

RE: MEETING DATES

With a motion from George Kranda, seconded by Ed King, and approved by all, the Commission wished to continue to hold their meetings every third Thursday of each month at 7:00 p.m. in the New Courts Building. The vote was as follows:

Thomas Basker	AYE	Bill Kling	AYE
Chris Cralle	AYE	George Kranda	AYE
Kevin Elmore	Absent	Garfield Parker	AYE
Alfred Fisher-Chairman	AYE	Jim Stone	AYE
Ed King	AYE	Charles Williams	AYE

RE: BY-LAWS

With a motion from Chris Cralle, seconded by Ed King, and approved by all, the By-Laws were re-adopted as written. The vote was as follows:

Thomas Basker	AYE	Bill Kling	AYE
Chris Cralle	AYE	George Kranda	AYE
Kevin Elmore	Absent	Garfield Parker	AYE
Alfred Fisher-Chairman	AYE	Jim Stone	AYE
Ed King	AYE	Charles Williams	AYE

RE: BOARD OF SUPERVISORS REPORT

Luttrell Tadlock reported the Board of Supervisors tabled all of their land use issues at the last meeting, and he would report on the status of them at the next Commission meeting.

RE: MINUTES- NOVEMBER 19, 2009

With a motion from Jim Stone, seconded by Charles Williams, and approved by all, the November 19, 2009 minutes were approved as written. The vote was as follows:

Thomas Basker	AYE	Bill Kling	AYE
Chris Cralle	AYE	George Kranda	AYE
Kevin Elmore	Absent	Garfield Parker	AYE
Alfred Fisher-Chairman	AYE	Jim Stone	AYE
Ed King	AYE	Charles Williams	AYE

RE: REQUEST BY LAWRENCE E. MOORE TO REZONE 28-(1)-43A FROM AGRICULTURAL (A-1) TO BUSINESS GENERAL (B-1).

Luttrell Tadlock explained the request before the Commission.

Al Fisher opened the public hearing.

Lawrence Moore addressed the letters of opposition received by the Commission. He commented there is a concern in these letters that this rezoning would create sprawl and would be considered spot rezoning. He noted less than 1% of the land in the County is zoned as B-1. The A-1 district provides a wide latitude of uses as of now; however, we all know that A-1 is about to lose its by right uses. The Comprehensive Plan does not dictate what is currently on the ground. He also noted there are adjoining properties that contain businesses of all three property owners who do not have a problem with him rezoning this property. This particular piece of property is too small to farm. No one will want to construct a house at this location, and there is already a 2,400 square foot building (warehouse/business) at this location. My request is a reasonable request.

Lee Allain told the Commission they had his comments on this proposed rezoning. He told the Commission the only thing he would add is, with not knowing what is being planned there, does it constitute rezoning the property?

Lawrence Moore noted that he states in his application what business was being planned for this location. He commented that he showed five people this property, but nobody is going to buy it not knowing what the property can be used as.

With no further public comments the public hearing was closed.

Ed King felt someone should be able to do what they want to with a business already there.

Bill Kling noted the Commission has been revamping the Zoning Ordinance for some time now and doing so puts the property owners in limbo as to what is going to happen with the uses in each district. We are discussing this at a time when the County unemployment rate is high, and the County is trying to find tax revenues. In every case the Comprehensive Plan is raised. The Comprehensive Plan is not law. The law is the Zoning Ordinance, and until we proceed with the revised Zoning Ordinance we have to work under the current Zoning. As far as the Comprehensive Plan, a nationally known development expert interested in the future of this County has noted that this Comprehensive Plan is not fitted for this County. He is leaning toward allowing Mr. Moore to rezone his property.

Charles Williams commented that he felt in the middle. Not knowing what will be going at this location was one of his concerns. This property also does not fall into any of the Village areas. He does not want to hurt property owners; however, he would feel more comfortable knowing what would be going into this building.

George Kranda asked about spot zoning.

Luttrell Tadlock explained to the Commission that they needed to consider several things: 1) Surrounding zoning and uses, 2) Does it conform to the Comprehensive Plan, and 3) Does the rezoning benefit the County or is it just for personal gain?

Al Fisher noted that he wants to help Mr. Moore, but doesn't want to open the County up for something that it doesn't want.

Garfield Parker stated he felt that it should remain A-1. If we do not rezone this property we are not denying anyone the right to put a business at this location, as they can have a business under A-1 now. We have had so many people change their minds once a rezoning has been approved.

Richard Haynie commented that maybe the Commission should look at whether the Commercial Hubs and Support Areas in the Comprehensive Plan should be expanded.

With a motion from Garfield Parker, seconded by George Kranda, and approved, the Commission recommends this property not be rezoned from Agricultural (A-1) to Business General (B-1). The vote was as follows (5-3-1):

Thomas Basker	Abstained	Bill Kling	NAY
Chris Cralle	AYE	George Kranda	AYE
Kevin Elmore	Absent	Garfield Parker	AYE
Alfred Fisher-Chairman	NAY	Jim Stone	AYE
Ed King	NAY	Charles Williams	AYE

The Commission is recommending the rezoning be denied for the following reasons:

- 1.) The proposed property falls outside of the Commercial Hub and Support Area as defined in the 2006 Comprehensive Plan.
- 2.) The property contains a facility/business which is currently allowed by right in the Agriculture (A-1) zoning classification.
- 3.) The rezoning does not propose anything that improves this stretch along Rt. 360.

RE: END OF THE YEAR REPORT

Luttrell Tadlock reviewed the end of the year report with the Planning Commission.

With a motion from George Kranda, seconded by Bill Kling, and approved by all, the Planning Commission approved the End of the Year Report and to submit it as written to the Board of Supervisors (A copy of this report can be found in the file of this meeting).

Thomas Basker	AYE	Bill Kling	AYE
Chris Cralle	AYE	George Kranda	AYE
Kevin Elmore	Absent	Garfield Parker	AYE
Alfred Fisher-Chairman	AYE	Jim Stone	AYE
Ed King	AYE	Charles Williams	AYE

RE: OTHER BUSINESS

There was no other business to discuss.

RE: PUBLIC COMMENT PERIOD

There were no public comments received.

RE: ADJOURNMENT

With a motion from Bill Kling, seconded by Jim Stone, and approved by all, the meeting was adjourned. The vote was as follows:

Thomas Basker	AYE	Bill Kling	AYE
Chris Cralle	AYE	George Kranda	AYE
Kevin Elmore	Absent	Garfield Parker	AYE
Alfred Fisher-Chairman	AYE	Jim Stone	AYE
Ed King	AYE	Charles Williams	AYE